



Serial No. 09/805,156

REMARKS

STATUS OF THE CLAIMS

In the October 19, 2005 Office Action, the Examiner noted that claims 1-28 and 39-44 were pending in the application; withdrew claims 39-42; allowed claims 2 and 11-18; objected to claim 9; and rejected claims 1, 3-10, 19-28, 43 and 44. Although not noted in the Office Action, claims 29-38 were previously withdrawn. Claims 29-43 have been canceled and thus, claims 1-28, 43 and 44 are currently pending and remain under consideration.

OBJECTION TO CLAIM 9

In item 10 on page 5 of the Office Action, the Examiner objected to claim 9 due to lack of subject-verb agreement. Claim 9 has been amended. Withdrawal of the objection is respectfully requested.

REJECTIONS UNDER 35 U.S.C. § 102

In item 12 on pages 5-6 of the Office Action, claim 1 was rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent 5,444,780 to Hartman, Jr. It was asserted that "requests are accepted from applications requiring secure TOD and non-secure TOD because the authenticated time is TRUE" (Office Action, page 6, lines 1-2). However, column 6, line 35 to column 7, line 12 of Hartman, Jr. discloses how a FALSE or TRUE state of the authenticated time indicator 218 determines which process is to be taken. If it is in a FALSE state, the execution is refused (see, column 6, lines 59-60 of Hartman, Jr. Furthermore, any value can be set to TOD clock 108 by a user but the authenticated time indicator 218 may not be set except by CPU 104 (see, Hartman at column 6, lines 45-49).

In contrast, the present invention distinguishes over Hartman, Jr. in that claim 1, for example, describes how a "predetermined date-and-time manager" in the present invention is not simply an arbitrary "date-and-time manager" selected from a plurality of date-and-time managers. That is, when a "date-and-time setting request" from the "predetermined date-and-time manager" is received, "official valid date-and-time information" is set and consequently, it is possible to apply an officially valid signature-with-time-stamp, as described, for example, at page 17, line 24 to page 19, line 16 of the specification. For that reason, as recited in claim 1, after receiving the date-and-time setting request from the "predetermined date-and-time manager", the date-and-time setting request reception unit accepts only the date-and-time setting requests from the "predetermined date-and-time manager" as described on page 19, lines 12-16. On the other hand, if date and time that is valid

only in a company can be set, the clock unit needs to be able to accept "a date-and-time setting request from any date-and-time manager before accepting a date-and-time setting request from a predetermined date-and-time manager" (claim 1, lines 3-5). In other words, the "date-and-time manager", in a company for example, cannot be the "predetermined date-and-time manager".

Nothing was cited or has been found in Hartman, Jr. suggesting such features. Since the limitations quoted above also appear in claims 19, 20 and 43, it is submitted that claims 1, 19, 20 and 43 patentably distinguish over Hartman, Jr.

In item 13 on pages 6-7 of the Office Action, claims 1 and 3 were rejected under 35 U.S.C. § 102(a) as anticipated by a printed publication entitled "System Time Management" (hereinafter "Cisco"). Cisco discloses a system that only permits revisions that are associated with reliable server organizations when the associated Trusted checkbox is selected. In Cisco, the Trusted checkbox is selected if a user wants the authentication key to be trusted. Also, Cisco discusses a configuration NTP authentication scheme that uses public-key cryptography with the Message Digest (MD5) algorithm. With this scheme, every message must be individually signed using an authentication key. The key consists of two parts: a public key number (a 32-bit integer) and a secret key value (an arbitrary string of up to 32 characters). See, page 3 at "Configuring NTP authentication" of Cisco.

Although Cisco discusses how the client must obtain the key pair from the server administrator and configure it to the client, Cisco fails to disclose the limitations recited on the last six lines of claim 1. Since claim 3 depends from claim 1, it is submitted that claims 1 and 3 patentably distinguish over Cisco for the reasons discussed above.

REJECTIONS UNDER 35 U.S.C. § 103(a)

In items 15-19 on pages 7-12 of the Office Action, claims 4-8, 10 and 19-28 were rejected as unpatentable over various combinations of Cisco as a primary reference with a printed publication entitled "Handbook of Applied Cryptography" (hereinafter "Menezes"); U.S. Patent 6,157,957 to Berthaud; Hartman, Jr.; and U.S. Patent 6,199,169 to Voth. Nothing was cited or has been found in any of these additional references suggesting modification of Cisco to overcome the deficiencies discussed above. Since claims 4-8, 21-28 and 44 depend from claims 1, 19, 20 and 43, it is submitted that claims 4-8, 21-28 and 44 patentably distinguish over Cisco for the reasons discussed above with respect to claims 1, 19, 20 and 43.

Further, claims 19 and 20 recite limitations similar to those recited on the last six lines of claim 1. Therefore, it is submitted that claims 19 and 20 patentably distinguish over Cisco for the reasons discussed above with respect to claim 1.

In item 20 on pages 12-13 of the Office Action, claims 43 and 44 were rejected as unpatentable over U.S. Patent 5,717,955 to Swinehart in view of Cisco. Claim 43 as amended recites limitations similar to those recited on the last six lines of claim 1. Swinehart fails to disclose, teach or suggest these features. Swinehart merely relates to techniques for temporarily transferring control, including exclusive control, of computing devices dedicated to a specialized use to users at the user's request (see, for example, column 1, lines 29-35). Swinehart uses a DeviceAgent process that is an event-driven process, and may consist of several modules, some of which perform system infrastructure functions, and some of which are responsible for implementing the agent's responsibilities for specific applications (see, for example, column 10, lines 40-50). In Swinehart, some possible examples of client requests to a DeviceAgent for a default controller include, for example, claim ownership, relinquish ownership etc. (see, column 11, lines 40-64).

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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CERTIFICATE UNDER 37 CFR 1.8(a)
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 3/20/2006
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